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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/904,860 08/01/97 OHI

H 1232-4367

EXAMINER

TM02/0615

CHRISTOPHER E CHALSEN
MORGAN AND FINNEGAN
345 PARK AVENUE
NEW YORK NY 10154

DINH, D	
ART UNIT	PAPER NUMBER

2153

DATE MAILED:

21
06/15/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 08/904,860	Applicant(s) OHI ET AL.	
	Examiner Dung Dinh	Art Unit 2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 and 41-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34, 41-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- | | |
|---|--|
| 15) <input type="checkbox"/> Notice of References Cited (PTO-892) | 18) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 16) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 19) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 17) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 20) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Response to Arguments

Applicant's arguments filed 4-18-2001 have been fully considered but they are not persuasive.

As per the argument concerning control information including identification related to the item to be controlled. This feature is well known in the art as evident by the "Developing CGI Application with Perl" page 68 - see line 10 - "name-value pair".

As per the limitation "storing network address with the control information", this limitation is inherent in the process of encoding command in an URL (see page 68 of the Perl article). "network address" is the sever domain name, and control information are name-value pairs that are encoded onto the URL.

As per the limitation of comparing with operable range and return notification, these feature would have been clearly obvious to one of ordinary skill in the art. It is well known in the art to check control parameters to make sure they are within operable range and return notification when there is an error. In any event, the argument is moot in view of the new ground of rejection below.

The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over WebCam+ and further in view of "Developing CGI Application with Perl".

As per claims 1-4, WebCam+ is a Web based remote control camera. The system has an online form for entering controlling command for controlling the camera's position and zoom remotely over the Internet and deliver capture image via a web page [see page 2 "WebCam + Is Born ..."].

The article does not disclose storing the address and control command into a memory storage.

It is known in the art that data submit via online HTML form is an URL encoded with the network address and the form's data values [see "Developing CGI Applications with Perl" Chapter 4 p.68-70]. It is known that the encoded URL can be send via clicking on the form's "submit" button or directly type in via the browser "location/address" box. Is also known that an URL can be

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saved in storage as a 'shortcut' on the desktop or as a browser's bookmark entry for quick access at a later time by the user.

It would have been obvious for one of ordinary skill in the art to save the camera control URL (with the network address and control values) in a memory storage (for example via a shortcut or bookmark entry) because it would have enabled quick access to control of the camera instead of manually typing the URL or entering data into the form each time the user want to access the camera.

The steps of reading, accessing and transmission are apparent in the process of retrieving and submitting the bookmarked URL to the camera server.

As per the new limitation "control information including identifier ...". It is known that URL coding of commands have identifiers and associated values [see the Perl article p.68 line 10 "name-value pair"]. WebCam+ allows a user to control the camera (zoom and rotation). Hence, it is apparent that the WebCam+ system would have had identifier identifying the item to be controlled and its associated parameter value in the URL that was used to send command to the camera.

As per claim 5-6, the input means of WebCam+ is a digital camera.

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As per claim 7, the article discloses controlling the sensing angle of the camera ["the camera can be positioned in degrees of increment"].

As per claim 8, the article discloses controlling the focal distance of the camera [zoom].

As per claim 9, the article does not disclose controlling the shuttle speed. The type of control provided would have been a matter of design choice and would have been dependent upon the capability of the camera. It would have been obvious for one of ordinary skill in the art to provide command for shutter speed if the camera used has that feature.

As per claim 10, it would have been well within the skill of one of ordinary skill in the art to write a program or script to generate and save the command URL.

As per claims 11-20, they are rejected under similar rationales as for claims 1-10 above.

As per claims 21-22, the recited limitations are inherent in the process of storing the command URL in the browser bookmark as stated in claim 1.

Claims 23-34, 41-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over WebCam+ "Developing CGI Application with

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Perl" and further in view of The Mercury Project "Beyond the Web: Excavating the Real World Via Mosaic" (prior art cited in paper #7).

As per claims 23-34, they are rejected under similar rationale as for claims 1-10 above. The article discloses information indicating service allowable range of the server [zoom level 1 through 8]. The particular place where the result is inserted into the HTML document and the type of allowable service range of the server/device would have been a matter of design choice. It is well known in the art to provide feedback, error notification, and operation limitations, etc. of a device to a user. In a relate art, the "Beyond the Web" article discloses a web based robot control system having a web page based user interface showing the operating range and current status of the robot [see the figure on page 3]. It would have been obvious for one of ordinary skill in the art to display serviceable range values and error notification because it would have enabled the user to know the capability of the device and to provide appropriate control data.

As per claims 41-46, the new limitation "control information including identifier ...". It is known that URL coding of commands have identifiers and associated values [see the Perl article p.68 line 10 "name-value pair"]. WebCam+ allows a user to

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control the camera (zoom and rotation). Hence, it is apparent that the WebCam+ system would have had identifier identifying the item to be controlled and its associated parameter value in the URL that was used to send command to the camera.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Dinh whose telephone number is (703) 305-9655. The examiner can normally be reached on Monday-Thursday from 7:00 AM - 4:30 PM. The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached at (703) 305-4792.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this final action should be mailed to:

Box AF

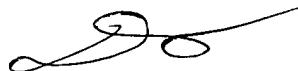
Commissioner of Patents and Trademarks
Washington, DC 20231

or faxed to:

(703) 308-9051, (for formal communications; please mark "EXPEDITED PROCEDURE")

(703) 305-9731 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Fourth Floor (Receptionist).



Dung Dinh
Primary Examiner
June 11, 2001